

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

CENTRAL MAINE POWER CO., et al.,

Plaintiffs,

v.

MAINE COMMISSION ON
GOVERNMENTAL ETHICS AND
ELECTIONS PRACTICES, et al.,

Defendants.

Docket No. 1:23-cv-00450-NT

**STATE DEFENDANTS' CONSENTED-TO MOTION
TO STAY PROCEEDINGS PENDING APPEAL**

Defendants Maine Commission on Governmental Ethics and Election Practices, William J. Schneider, David R. Hastings III, Sarah E. LeClaire, Dennis Marble, and Stacey D. Neumann, and Aaron Frey ("State Defendants") move for a stay of all proceedings in this Court, including the April 1, 2024 deadline to respond to Plaintiffs' complaints, pending resolution of State Defendants' appeal (ECF No. 66) of the Court's order granting a preliminary injunction (ECF No. 61).

In support of their motion, State Defendants state the following:

1. On February 29, 2024, this Court issued a preliminary injunction barring State Defendants from enforcing 21-A M.R.S.A. § 1064, a voter-enacted state law seeking to regulate foreign-government influence on Maine elections. (ECF No. 61). On March 15, 2024, the State Defendants timely appealed the Court's decision under 28 U.S.C. § 1292(a)(1). (ECF No. 66).
2. Under the Court's Order of December 18, 2023 (ECF No. 13), State Defendants must respond to the four complaints by April 1, 2024, with discovery to follow.

3. Given the significant and in some cases novel legal issues presented in these cases and the limited resources available to defend them, counsel for State Defendants seek to devote their full attention to the pending appeal, without the burden of simultaneously pursuing discovery and preparing for trial or dispositive motion practice before this Court.

4. The Court of Appeals may, in resolving State Defendants' appeal, provide valuable guidance to the parties. It could, for example, make clear that certain claims are not viable or that particular factual questions are of greater or lesser importance. Such guidance could focus the parties' discovery requests and allow for more efficient litigation of these matters generally.

5. The Court's injunction ensures that the *status quo ante* will be preserved during the entirety of any stay of proceedings.

6. Counsel for all Plaintiffs have indicated that they consent to the proposed stay of proceedings.

For the reasons stated above, State Defendants respectfully request that the Court enter an order staying all proceedings in this case, including State Defendants' deadline to respond to Plaintiffs' complaints, until the United States Court of Appeals for the First Circuit finally resolves State Defendants' pending appeal.

Respectfully submitted,

Dated: March 20, 2024

/s/ Jonathan R. Bolton
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